



Rules of
Department of Agriculture
Division 70—Plant Industries
Chapter 1—Organization and Description

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**Title 2—DEPARTMENT OF
AGRICULTURE
Division 70—Plant Industries
Chapter 1—Organization
and Description**

2 CSR 70-1.010 General Organization

PURPOSE: The purpose of this regulation is to comply with section 536.023, RSMo 1986 which requires each agency to adopt as a rule a description of its operation and the methods which the public may obtain information or make submissions or requests.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) The Plant Industries Division is a regulatory and service agency of the Missouri Department of Agriculture and is subdivided into the following bureaus and functions:

(A) The Bureau of Plant Pest Control, under the supervision of the state entomologist, is responsible for administering the following statutes:

1. The Missouri Plant Law requires the state entomologist to make mandatory inspections of nurseries and nursery stock including woody plants and perennials. The Act also requires the state entomologist to stay abreast of serious plant pests; to make surveys for and to control the spread of especially serious plant pests; establish and enforce plant pest quarantines; provide inspection service and issue special certification for plants and plant parts to be shipped to foreign countries; and to issue special certification for plants, plant material and other regulated items being shipped from quarantined areas. Rules pertaining to the Missouri Plant Law are filed in Chapter 10 and Plant Law Quarantines are filed under Chapter 11 of this division; and

2. The Missouri Apiary Law empowers the state entomologist to provide inspection of apiaries within the state and issue certificates on colonies found to be free of American and European foulbrood and other serious bee diseases. This inspection service is optional and must be paid for by the beekeeper receiving inspection. Rules pertaining to the Missouri Apiary Act are filed under

Chapter 15 of this division;

(B) The Bureau of Pesticide Control is responsible for administering the following statutes:

1. The Missouri Pesticide Registration Act requires the registration of all pesticides distributed, sold or held for sale in the state of Missouri. Any pesticide is defined to be any substance intended for preventing, destroying, repelling or mitigating any insects, rodents, fungi, weeds or other forms of plant or animal life or viruses, except viruses or fungi on or in living men or other animals. The Act establishes labeling requirements and sets penalties for violators. Inspections of retail dealers of pesticides are performed throughout the state to enforce compliance with this Act; and

2. The Missouri Pesticide Use Act requires the certification and licensing of persons who apply pesticides for a fee. This includes pest control operators and aerial applicators, as well as other custom applicators of agricultural pesticides. The Act also requires the certification of persons applying any pesticides which have been declared restricted due to its environmental impact. This group of pesticide applicators includes—farmers, called private applicators; government employees who apply pesticides in the course of their duties; and persons involved in research and experimental programs. Pesticide technicians are required to attain verifiable training and become licensed. Dealers of restricted use pesticides must also be licensed. The Act sets penalties for violations. Rules pertaining to the Missouri Pesticide Act are filed under Chapter 25 of this division;

(C) Bureau of Feed and Seed is responsible for administering the following statutes:

1. The Missouri Commercial Feed Law provides for regulation of the feed industry through the registration of commercial feeds and commercial feed manufacturers. The Act requires accurate labeling of commercial feed ingredients. The feed control laboratory supports the work of the bureau by performing analytical tests to determine that protein, fat, fiber, minerals, salt, vitamin A, and drugs actually exist in the feed in the same proportions as guaranteed by the label. The Act gives the director of agriculture the authority to stop-sale any feed failing to meet the labeling claims. An inspection fee of ten cents (10¢) per ton is charged to manufacturers for commercial feed inspected under the program in Missouri. Rules pertaining to the Missouri Commercial Feed Law are filed under Chapters 30 and 31 of this division; and

2. The Missouri Seed Law requires the

licensing of wholesale and retail seed dealers and requires accurate labeling of agricultural and vegetable seed sold in this state. The statute also provides for personnel and laboratory facilities to determine that the label guarantees for purity, germination, and noxious weeds are within tolerances set by the Act. The test date for seed must be shown on the label and all seed must be sold within nine (9) months of testing. Stop-sales are placed on seed failing to meet the statutory requirements. Rules pertaining to the Missouri Seed Law are filed under Chapter 35 of this division;

(D) The following statutes are also administered by the Plant Industries Division:

1. Hemp extract cultivation and production facility licensing and inspection authority is granted under section 261.265, RSMo. Rules pertaining to this chapter are filed under Chapter 14 of this division; and

2. The Missouri Johnson Grass Control Eradication Law is a county option law which, after approval by a majority electorate of a county, allows the director of agriculture to appoint a county weed control board and requires the control and eradication of Johnson grass on both private and public lands within the county. Rules pertaining to the Missouri Johnson Grass Control and Eradication Law are filed under Chapter 45 of this division.

(2) The Plant Industries Division is administered by the divisional director and administrative staff with the main offices located at 1616 Missouri Blvd., Jefferson City, MO 65109.

(A) The mailing address is: Plant Industries Division, Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. Telephone (314) 751-2462 or (314) 751-4310.

(B) The following laboratories and outlying offices are functions of the Plant Industries Division:

1. Feed Control Laboratory, 115 Constitution Drive, Jefferson City, Missouri. Mail should be sent to PO Box 630, Jefferson City, MO 65102; and

2. Seed Control Laboratory, 115 Constitution Drive, Jefferson City, Missouri. Mail should be sent to PO Box 630, Jefferson City, MO 65102.

AUTHORITY: section 536.023, RSMo 2016. Original rule filed April 9, 1976, effective July 15, 1976. Amended: Filed April 16, 1990, effective Sept. 28, 1990. Amended: Filed June 14, 2018, effective Jan. 30, 2019.*

**Original authority: 536.023, RSMo 1975, amended 1976, 1997, 2004.*